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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 CARRIE ANNE LICHOSIK,

12 Defendant.

CASE NO. CR07-5646BHS

ORDER DENYING
DEFENDANT'S MOTION TO
REDUCE SENTENCE

13 This matter comes before the Court on Defendant's motion to reduce sentence.
14 Dkt. 23.

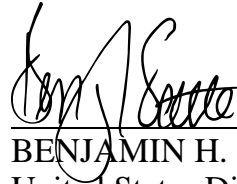
15 On December 12, 2008, Defendant was sentenced to 10 months incarceration and
16 5 years supervised release. *See* Dkt. 22 (judgment). Defendant now moves to reduce her
17 sentence based on hardship due to her husband's military deployment. The Government
18 opposes Defendant's motion. Dkt. 24.

19 The Court "may not modify a term of imprisonment once it has been imposed"
20 except upon motion by the Director of Bureau of Prisons under certain circumstances.¹ 18
21 U.S.C. § 3582(c)(1); *see also* Fed. R. Crim. P. 35 (criminal rule providing that district
22 court may reduce sentence upon motion by the *Government* under certain circumstances,
23 but not permitting the reduction of a sentence upon motion by a defendant).

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27 ¹ This statute also allows for reductions in a case where a defendant has been sentenced
28 to a term of imprisonment based on a sentencing range that has subsequently been lowered by
the Sentencing Commission. 18 U.S.C. § 3581(c)(2).

1 Defendant's motion is denied. The Court does not have authority to modify
2 Defendant's sentence.

3 DATED this 30th day of June, 2009.

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6 BENJAMIN H. SETTLE
7 United States District Judge
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